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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PHILADELPHIA INDEMNITY  
INSURANCE COMPANY, a Pennsylvania  
Corporation;

Plaintiff,

v.

FIVE STAR RESTAURANTS, LLC, a  
Nevada limited liability company;  
WESTBURY MANOR ENTERPRISES,  
INC., a Delaware foreign business  
corporation; VINCENT SCOTTO, an  
individual; MICHELINA SCOTTO, an  
individual; DOE INDIVIDUALS 1 through  
10, inclusive; ROE BUSINESS ENTITIES  
11 through 20, inclusive;

Defendants.

CASE NO.: 2:17-cv-00871-APG-PAL

ORDER

This matter came on for hearing before the Court based upon the Order Setting Briefing Schedule on Distribution of Sale Proceeds (ECF No. 66).

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. The amount of \$100,000.00 shall be immediately released to Philadelphia Indemnity Insurance from the Omni Abstract Corp. Escrow Account No. 020722184 ("Escrow Account");

2. The amount of \$326,189.00 shall be immediately released to Westbury Manor Enterprises, Inc. from the Escrow Account.

3. The balance of \$250,000.00 shall remain in the Escrow Account pending further order from this Court;

4. The Parties shall continue to work together to agree upon the distribution of the remaining \$250,000.00 in the Escrow Account; and

5. In the absence of a mutual resolution, the Parties shall appear before the Court for a Status Check on May 16, 2018 at 9:00 a.m. to discuss additional distributions. Each side shall file a brief – no longer than five pages – proposing how the proceeds should be distributed and providing the basis for their respective proposals. The briefs shall be filed no later than 5:00 p.m. on Wednesday, May 9, 2018. Should an agreement be reached, the parties shall submit a stipulation and proposed order and the Court will vacate the May 16, 2018 Status Check.

Dated: March 14, 2018.

  
UNITED STATES DISTRICT COURT JUDGE  
ANDREW P. GORDON

Respectfully submitted by:

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: /s/ Adam K. Bult  
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Approved as to form and content:

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